

as part of the Foreign Assistance Act of 1961 which comprises this chapter.

§ 2277a. Targeted sanctions to fight corruption in El Salvador, Guatemala, and Honduras

(a) Sense of Congress

It is the sense of Congress that—

(1) corruption in El Salvador, Guatemala, and Honduras by private citizens and select officials in local, regional, and Federal governments significantly damages the economies of such countries and deprives citizens of opportunities;

(2) corruption in El Salvador, Guatemala, and Honduras is facilitated and carried out not only by private citizens and select officials from those countries but also in many instances by individuals from third countries; and

(3) imposing targeted sanctions on individuals from throughout the world and particularly in the Western Hemisphere who are engaged in acts of significant corruption that impact El Salvador, Guatemala, and Honduras or obstruction of investigations into such acts of corruption will benefit the citizens and governments of such countries.

(b) Report required

Not later than 180 days after December 27, 2020, and not less frequently than annually thereafter, the President shall submit to the appropriate congressional committees an unclassified report with classified annex if necessary that identifies each foreign person who the President determines to have knowingly engaged in actions that undermine democratic processes or institutions, or in significant corruption or obstruction of investigations into such acts of corruption in El Salvador, Guatemala, and Honduras, including the following:

(1) Corruption related to government contracts.

(2) Bribery and extortion.

(3) The facilitation or transfer of the proceeds of corruption, including through money laundering.

(4) Acts of violence, harassment, or intimidation directed at governmental and non-governmental corruption investigators.

(c) Imposition of sanctions

The President shall impose the sanctions described in subsection (d) with respect to each foreign person identified in the report required under subsection (b).

(d) Sanctions described

(1) In general

The sanctions described in this subsection are the following:

(A) Ineligibility for visas and admission to the United States

In the case of a foreign person who is an individual, such foreign person is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to re-

ceive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) Current visas revoked

(i) In general

The issuing consular officer or the Secretary of State, (or a designee of the Secretary of State) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to a foreign person regardless of when the visa or other entry documentation is issued.

(ii) Effect of revocation

A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the foreign person's possession.

(2) Exception to comply with international obligations

Sanctions under subparagraph (B) and (C)¹ of paragraph (1) shall not apply with respect to a foreign person if admitting or paroling such person into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(e) National security waiver

The President may waive the application of the sanctions under subsection (c)² if the President—

(1) determines that such a waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees within 15 days after such determination a notice of and justification for the waiver.

(f) Termination

The authority to impose sanctions under subsection (b),³ and any sanctions imposed pursuant to such authority, shall expire on the date that is 3 years after December 27, 2020.

(g) Public availability

The unclassified portion of the report required by subsection (b) shall be made available to the public, including through publication in the Federal Register. In any case in which the President concludes that such publication would be harmful to the national security of the United States, only a statement that a determination or finding has been made by the President, including the name and section of the Act under which it was made, shall be published.

(h) Definitions

In this section, the term “appropriate congressional committees” means—

¹ So in original. Probably should be “subparagraphs (A) and (B)”.

² So in original. Probably should be “subsection (d)”.

³ So in original. Probably should be “subsection (c),”.

- (1) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate;
 (2) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives.

(Pub. L. 116-260, div. FF, title III, § 353, Dec. 27, 2020, 134 Stat. 3129.)

Editorial Notes

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (d)(1)(A)(iii), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

CODIFICATION

Section was enacted as part of the United States – Northern Triangle Enhanced Engagement Act, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

PART VII—DEBT-FOR-NATURE EXCHANGES

§ 2281. “Debt-for-nature exchange” defined

For purpose of this part, the term “debt-for-nature exchange” means the cancellation or redemption of the foreign debt of the government of a country in exchange for—

- (1) that government’s making available local currencies (including through the issuance of bonds) which are used only for eligible projects involving the conservation or protection of the environment in that country (as described in section 2283 of this title); or
- (2) that government’s financial resource or policy commitment to take certain specified actions to ensure the restoration, protection, or sustainable use of natural resources within that country; or
- (3) a combination of assets and actions under both paragraphs (1) and (2).

(Pub. L. 87-195, pt. I, § 461 [471], as added Pub. L. 101-240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2521.)

Editorial Notes

REFERENCES IN TEXT

Section 2283 of this title, referred to in par. (1), was in the original “section 463”, meaning section 463 of Pub. L. 87-195, which has been translated as meaning section 463 of Pub. L. 87-195 relating to eligible projects rather than section 463 of Pub. L. 87-195, relating to the peace process in Central America, which is classified to section 2273 of this title.

CODIFICATION

Another section 461 of Pub. L. 87-195 is classified to section 2271 of this title.

PRIOR PROVISIONS

A prior section 2281, Pub. L. 87-195, pt. I, § 471, as added Pub. L. 89-583, pt. I, § 110, Sept. 19, 1966, 80 Stat. 802, related to agreements with less developed countries for establishment of Joint Commissions on Rural Development, prior to repeal by Pub. L. 95-424, title VI, § 604, Oct. 6, 1978, 92 Stat. 961, effective Oct. 1, 1978.

§ 2282. Assistance for commercial debt exchanges

(a) The Administrator of the Agency for International Development is authorized to furnish

assistance, in the form of grants on such terms and conditions as may be necessary, to nongovernmental organizations for the purchase on the open market of discounted commercial debt of a foreign government of an eligible country which will be canceled or redeemed under the terms of an agreement with that government as part of a debt-for-nature exchange.

(b) Notwithstanding any other provision of law, a grantee (or any subgrantee) of the grants referred to in subsection (a) may retain, without deposit in the Treasury of the United States and without further appropriation by Congress, interest earned on the proceeds of any resulting debt-for-nature exchange pending the disbursements of such proceeds and interest for approved program purposes, which may include the establishment of an endowment, the income of which is used for such purposes.

(Pub. L. 87-195, pt. I, § 462 [472], as added Pub. L. 101-240, title VII, § 711, Dec. 19, 1989, 103 Stat. 2521.)

Editorial Notes

CODIFICATION

Another section 462 of Pub. L. 87-195 is classified to section 2272 of this title.

§ 2283. Eligible projects

(a) The Administrator of the Agency for International Development shall seek to ensure that debt-for-nature exchanges under this part support one or more of the following activities by either the host government, a local private conservation group, or a combination thereof:

- (1) restoration, protection, or sustainable use of the world’s oceans and atmosphere;
- (2) restoration, protection, or sustainable use of diverse animal and plant species;
- (3) establishment, restoration, protection, and maintenance of parks and reserves;
- (4) development and implementation of sound systems of natural resource management;
- (5) development and support of local conservation programs;
- (6) training programs to strengthen conservation institutions and increase scientific, technical, and managerial capabilities of individuals and organizations involved in conservation efforts;
- (7) efforts to generate knowledge, increase understanding, and enhance public commitment to conservation;
- (8) design and implementation of sound programs of land and ecosystem management; and
- (9) promotion of regenerative approaches in farming, forestry, fishing, and watershed management.

(b)(1) In cooperation with nongovernmental organizations, the Administrator of the Agency for International Development shall seek to identify those areas, which because of an imminent threat, are in particular need of immediate attention to prevent the loss of unique biological life or valuable ecosystem.

(2) The Administrator of the Agency for International Development shall encourage as many